

Rec'd PCT/PTO 19 MAY 2006

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 15102912985

Fax Information

Date Received:

2/18/2005 2:49:20 PM [Eastern Standard Time]

Total Pages:

13 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

02/18/2005 11:51 FAX 15102912985		INVENTEK		001/013	
INVENTEK			Fax		
Dov Rosenfeld 6507 College Avenue, Suite 2 Oakland, CA 94618, USA Phone: (510) 547-3378; Fax: (510) 291-2985 dov@invenlek.com					
Patent Application Ser. No.: 10/500,902			Ref/Docket No: <u>LAKT038</u>		
First named Applicant: McGrath			Examiner.:		
Filing Date: July 6, 2004			Art Unit: 3713		
FAX COVER PAGE					
TO:		Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450			
Fax No.:		<u>703-872-9306</u>			
DATE:		February 18, 2005			
FROM:		Dov Rosenfeld, Reg. No. 38687			
RE:		Response to Notice of Missing Requirements			
		Number of pages including cover: <u>13</u>			
OFFICIAL COMMUNICATION					
<small>Certificate of Facsimile Transmission under 37 CFR 1.8 I hereby certify that this response is being facsimile transmitted to the United States Patent and Trademark Office at telephone number 703-872-9306 addressed the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on.</small>					
Date: <u>Feb. 18, 2005</u>		Signed: <u>[Signature]</u> Name: Amy Deary			
<small>PAGE 1/13 * RCVD AT 2/18/2005 2:49:20 PM [Eastern Standard Time] * PCT/PTO-BP-XFP-10 * PMS-277529 * CNO:16107112985 * DURATION (min): 05:12</small>					

*** TX REPORT ***

Rec'd PCT/PTO 19 MAY 2006

TRANSMISSION OK

TX/RX NO	0556
CONNECTION TEL	17038729306
SUBADDRESS	
CONNECTION ID	
ST. TIME	02/18 11:51
USAGE T	04'51
PGS. SENT	13
RESULT	OK

INVENTEK

Fax

Dov Rosenfeld
5507 College Avenue, Suite 2
Oakland, CA 94618, USA
Phone: (510)547-3378; Fax: (510)291-2985
dov@inventek.com

Patent Application Ser. No.: 10/500,902

Ref./Docket No: LAKE038

First named Applicant: McGrath

Examiner.:

Filing Date: July 6, 2004

Art Unit: 3713

FAX COVER PAGE

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax No.: 703-872-9306

DATE: February 18, 2005

FROM: Dov Rosenfeld, Reg. No. 38687

RE: Response to Notice of Missing Requirements

Number of pages including cover: 13

OFFICIAL COMMUNICATION

Rec'd PCT/PTO 19 MAY 2006 Page 1 of 1

U.S. PATENT AND TRADEMARK OFFICE
REVENUE ACCOUNTING AND MANAGEMENT SYSTEM

CREDIT CARD TRANSACTIONS

Card Number:
...8764

Start Accounting Date:
02/01/2005

End Accounting Date:
02/28/2005

Date/Time of Report: Wed Mar
2 13:22:08 2005

Credit Card Sales

Accounting Date

Create Date

Amount Fee Code

Name/Number

Attorney Docket
Number

02/02/2005	02/01/2005 10:40:35 PM	\$1,400.00	1501	ISSUE	09245188	inv. 1153	CISC804
02/02/2005	02/02/2005 02:01:50 PM	\$40.00	8021		60821290	1159	TOPIX-104P
02/02/2005	02/02/2005 02:07:27 PM	\$40.00	8021	ISSUE	80809215	1159	TOPIX101-P
02/07/2005	02/04/2005 06:44:33 PM	\$700.00	2501		10142495		USED 307
02/07/2005	02/04/2005 08:44:33 PM	\$300.00	1504		10142495	1134	
02/07/2005	02/04/2005 08:44:33 PM	\$30.00	8001		10142495		
02/08/2005	02/06/2005 10:13:12 AM	\$300.00	1011		11049004		CISO10912
02/08/2005	02/08/2005 10:13:12 AM	\$500.00	1111		11049004	1150	CISO10912
02/08/2005	02/08/2005 10:13:12 AM	\$200.00	1311	APP.	11049004		CISO10912
02/08/2005	02/07/2005 03:28:54 PM	\$40.00	8021	ISSUE	60840391		FAST-007P
02/09/2005	02/09/2005 11:50:24 AM	\$100.00	1811	ISSUE	6647820		LAKE039
02/11/2005	02/09/2005 01:45:58 PM	\$200.00	1005	ISSUE	60649721	1160	38687 CISO11
02/11/2005	02/11/2005 02:14:28 PM	\$300.00	1011		11052978		CISCO10911
02/11/2005	02/11/2005 02:14:28 PM	\$500.00	1111		11052978	1163	CISCO10911
02/11/2005	02/11/2005 02:14:28 PM	\$200.00	1311		11052978		CISCO10911
02/14/2005	02/11/2005 08:48:09 PM	\$200.00	1005		60851095		ESKO046-P
02/22/2005	02/18/2005 10:00:08 PM	\$130.00	1051		10500802	1181	LAKE038
02/22/2005	02/22/2005 09:35:48 AM	\$120.00	1251		09933470	1181	266/262 LAKEC

Deposit Account Replenishments

Accounting Date

Create Date

Amount

Name/Number

DA Number

No DA replenishments could be found.

Suspended Payments

Accounting Sequence
Date Num

Amount

Customer Name

Reference Text

Comments

No suspended payments could be found.

Refunded Payments

Accounting Date Refund Num

Amount

Name/Number

Customer Name

No refunds could be found.

*** RX REPORT ***

RECEPTION OK

Rec'd PCT/PTC 19 MAY 2006

TX/RX NO	5796
RECIPIENT ADDRESS	15102912985
DESTINATION ID	
ST. TIME	05/19 15:58
TIME USE	04'37
PGS.	22
RESULT	OK

Our Ref./Docket No: LAKE038Rec'd PCT/PTO 19 MAY 2006
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named applicant: McGrath, *et al.*

Application No.: 10/500,902

Filed: July 6, 2004

Title: INTERACTIVE SPATIALIZED
AUDIOVISUAL SYSTEM

Group Art Unit: 3713

Examiner: (Unassigned)

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

This is in response to a Notification of Abandonment mailed May 12, 2006 for the above-referenced application filed under **35 USC 371**. The Notification of Abandonment asserted that Applicants did not respond to a Notice of Missing Requirements mailed January 19, 2005. However, Applicants did respond to the Notice of Missing Requirements on February 18, 2005, and included the missing \$130 Fee, the missing Declaration, and also permission for the USPTO to charge a valid Deposit Account with any missing fees.

Included with this petition are:

- 1) A copy of the response faxed to the USPTO on February 18, 2005. The response included a Certificate of Facsimile Transmission. The credit card information has been blacked out from this copy.
- 2) A copy of the fax receipt from the USPTO automated fax system dated February 18, 2005, showing that the 13 page response was received at the USPTO on February 18, 2005 and that there were 13 pages received.
- 3) A copy of the fax transmission report from the undersigned's fax dated February 18, 2005, showing that the 13 page response was sent to the USPTO on February 18, 2005 and that there were 13 pages sent.
- 4) A copy of a fax from the USPTO showing that the \$130 was charged for this case docket number LAKE038 to our credit card number ending ...8764 on February 22, 2005.

Certificate of facsimile transmission under 37 CFR 1.8

I hereby certify that this response is being facsimile transmitted to fax no. 517-273-0459-872-9306, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on.

Date: May 19, 2006Signed: 

Name: Amy Drury

S/N 10/500,902

Page 2

LAKE038

Therefore, the error is on the part of the United States Patent and Trademark Office. Therefore applicants believe no fees are payable by Applicant(s).

However, the Commissioner is hereby authorized to charge payment of any missing fees associated with this communication or credit any overpayment to Deposit Account No. 50-0292.

Furthermore, if the Commissioner believes a phone call or email with the undersigned will help speed up prosecution of this case, this is a request to telephone the undersigned at 510-547-3378 during business hours (Pacific Standard Time), or email the undersigned at dov@inventek.com.

(A DUPLICATE OF THIS PETITION IS ATTACHED):

Respectfully Submitted,

May 19, 2006

Date


Dov Rosenfeld, Reg. No. 38687

Address for correspondence:

Dov Rosenfeld

5507 College Avenue, Suite 2

Oakland, CA 94618

Tel. (510) 547-3378; Fax: (510) 291-2985

Rec'd PCT/PTO 19 MAY 2006 Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

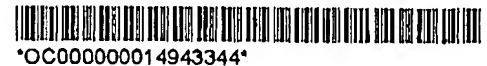
UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/500,902	FIRST NAMED APPLICANT David S McGrath	ATTY. DOCKET NO. LAKE038
---	--	-----------------------------

21921
 DOV ROSENFELD
 5507 COLLEGE AVE
 SUITE 2
 OAKLAND, CA 94618

INTERNATIONAL APPLICATION NO. PCT/AU03/00019	
I.A. FILING DATE 01/09/2003	PRIORITY DATE 01/09/2002

CONFIRMATION NO. 8847
 371 FORMALITIES LETTER



OC000000014943344

Date Mailed: 01/19/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/06/2004
- Copy of the International Search Report filed on 07/06/2004
- Preliminary Amendments filed on 07/06/2004
- Information Disclosure Statements filed on 07/06/2004
- Request for Immediate Examination filed on 07/06/2004
- Copy of references cited in ISR filed on 07/06/2004
- U.S. Basic National Fees filed on 07/06/2004
- Priority Documents filed on 07/06/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE 2005

RECEIVED/ACK

Dov Rosenfeld
 Inventek

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 305-3752

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,902	PCT/AU03/00019	LAKE038

FORM PCT/DO/EO/905 (371 Formalities Notice)

INVENTEK

Dov Rosenfeld
5507 College Avenue, Suite 2
Oakland, CA 94618, USA
Phone: (510)547-3378; Fax: (510)291-2985
dov@inventek.com

Rec'd PCT/PTO 19 MAY 2006
Fax

Rec'd PCT/PTO 19 MAY 2006

Rec'd PCT/PTO 19 MAY 2006

RECEIVED

Legal Staff
International Division

Patent Application Ser. No.: 10/500,902

Ref./Docket No.: LAKE050n

First named Applicant: McGrath

Examiner.:

Filing Date: July 6, 2004

Art Unit: 3713

FAX COVER PAGE

TO: Office of PCT Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax No.: 571-273-0459

DATE: May 19, 2006

FROM: Dov Rosenfeld, Reg. No. 38687

RE: Petition to Withdraw holding of Abandonment

Number of pages including cover: 22

OFFICIAL COMMUNICATION

Certificate of Facsimile Transmission under 37 CFR 1.8

I hereby certify that this response is being facsimile transmitted to the United States Patent and Trademark Office at telephone number 571-273-0459 addressed the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on.

Date:

May 19, 2006

Signed:

Name: Amy Drury

TRANSMITTAL FORM

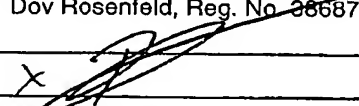
(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/500,902
	Filing Date	6 Jul 2004
	First Named Inventor	McGrath,
	Group Art Unit	3713
	Examiner Name	
Attorney Docket Number		LAKE038

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Preliminary Amendment <input type="checkbox"/> <input type="checkbox"/> After Final <input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notification of Missing Requirements under 35 U.S.C. 371	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i> <input checked="" type="checkbox"/> Petition to withdraw holding of abandonment <input checked="" type="checkbox"/> Copy of previously filed response to Notification of Missing Requirements under 35 U.S.C. 371 <input type="checkbox"/>
Remarks		

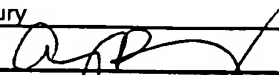
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT/ CORRESPONDENCE ADDRESS

Firm or Individual name	Dov Rosenfeld, Reg. No. 38687
Signature	
Date	May 19, 2006

ADDRESS FOR CORRESPONDENCE

Firm or Individual name	Dov Rosenfeld Inventek 5507 College Avenue, Suite 2 Oakland, CA 94618 Tel: 510-547-3378
-------------------------------	---

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted with the United States Patent and Trademark Office at Telephone number 571-273-0459 addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
Type or printed name		Amy Drury	
Signature		Date	May 19, 2006

INVENTEK

Dov Rosenfeld
5507 College Avenue, Suite 2
Oakland, CA 94618, USA
Phone: (510)547-3378; Fax: (510)291-2985
dov@inventek.com

Rec'd PCT/PTO 19 MAY 2006**Rec'd PCT/PTO** 19 MAY 2006**Patent Application Ser. No.:** 10/500,902**Ref./Docket No:** LAKE038**First named Applicant:** McGrath**Examiner.:****Filing Date:** July 6, 2004**Art Unit:** 3713**FAX COVER PAGE**

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax No.: 703-872-9306

DATE: February 18, 2005

FROM: Dov Rosenfeld, Reg. No. 38687

RE: Response to Notice of Missing Requirements

Number of pages including cover: 13

OFFICIAL COMMUNICATION**Certificate of Facsimile Transmission under 37 CFR 1.8**

I hereby certify that this response is being facsimile transmitted to the United States Patent and Trademark Office at telephone number 703-872-9306 addressed the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on.

Date: Feb. 18, 2005

Signed: Amy Drury
Name: Amy Drury

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

1/500,902

Filing Date

6 Jul 2004

First Named Inventor

McGrath,

Group Art Unit

3713

Examiner Name

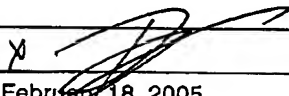
Attorney Docket Number

LAKE038

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> <input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Declaration
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request of Refund	<input type="checkbox"/>
<input checked="" type="checkbox"/> Response to Notification of Missing Requirements under 35 U.S.C. 371	Remarks	


SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT/ CORRESPONDENCE ADDRESS

Firm or Individual name	Dov Rosenfeld, Reg. No. 38687
Signature	
Date	February 18, 2005

ADDRESS FOR CORRESPONDENCE

Firm or Individual name	Dov Rosenfeld Inventek 5507 College Avenue, Suite 2 Oakland, CA 94618 Tel: 510-547-3378
-------------------------------	---

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted with the United States Patent and Trademark Office at Telephone number 703-746-4060 addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
Type or printed name	Amy Drury	Date	February 18, 2005
Signature		Date	February 18, 2005

Our Ref./Docket No: LAKE-8Rec'd PCT/PTO 19 MAY 2006
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named applicant: McGrath, *et al.*

Application No.: 10/500,902

Filed: July 6, 2004

Title: INTERACTIVE SPATIALIZED
AUDIOVISUAL SYSTEM

Group Art Unit: 3713

Examiner: (Unassigned)

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

This is in response to a Notice to File Missing Requirements of an Application filed under 35 USC 371. Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application:

☒ Executed Declaration and Power of Attorney. The above-identified application is the same application which the inventor executed by signing the enclosed declaration;

☒ A credit card payment form in the amount of \$130.00 is attached, for:

☐ Statutory basic filing fee: \$ 0

☐ Additional claim fee of \$ 0

☐ Extension Fee (1st Month) of \$ 0

☒ Late Oath or Declaration Surcharge \$130

☒ Applicant(s) believe(s) that no Extension of Time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for an extension of time.

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this response is being facsimile transmitted to fax no. 703-872-9306, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on.

Date: FEB 18, 2005Signed: [Signature]
Name: Amy Drury

S/N 10/500,902

Page 2

LAKE038


X The Commissioner is hereby authorized to charge payment of any missing fees associated with this communication or credit any overpayment to Deposit Account No. 50-0292

(A DUPLICATE OF THIS TRANSMITTAL IS ATTACHED):

Respectfully Submitted,

Feb. 18, 2005

Date


Dov Rosenfeld, Reg. No. 38687

Address for correspondence:

Dov Rosenfeld

5507 College Avenue, Suite 2

Oakland, CA 94618

Tel. (510) 547-3378; Fax: (510) 291-2985

AVAILABLE COPY